

SECTION XVIII. AREA REGULATIONS.

For the purposes of this Section the Town of Wellesley is hereby divided into classes of area regulation districts as shown on the "Zoning Map of the Town of Wellesley, Massachusetts", prepared under the direction of the Planning Board, Scale 1" = 500', dated December 20, 2002, as amended, on file with the Town Clerk, which map together with all the boundary lines and designations thereon relating to such area regulations is hereby incorporated as part of this Section.

The classes of area regulation districts are respectively as indicated on said map:

1. Ten Thousand Foot Districts;
2. Fifteen Thousand Foot Districts;
3. Twenty Thousand Foot Districts;
4. Thirty Thousand Foot Districts;
5. Forty Thousand Foot Districts.

A. Dwelling and Club House Lots.

In Single Residence Districts, Single Residence Districts A, General Residence Districts, General Residence Districts A, Limited Residence Districts, Educational Districts, Educational Districts A, Educational Districts B, Administrative and Professional Districts and Limited Business Districts, there shall be provided for each dwelling or club house, hereafter constructed, a lot containing not less than 10,000 square feet, 15,000 square feet, 20,000 square feet, 30,000 square feet, or 40,000 square feet according to the area requirement of the area regulation district in which such dwelling or club house is situated, and hereafter, no dwelling or club house shall be erected or placed on a lot containing less than such minimum area. In Business or Industrial Districts or in Business Districts A or Industrial Districts A, there shall be provided for each dwelling (including apartment houses and apartment hotels) or club house hereafter constructed or placed, a lot containing not less than 10,000 square feet.

Nothing contained in this Section shall prevent the construction or placing of any such building on any lot (1) in any of said Ten Thousand Foot, Fifteen Thousand Foot and Twenty Thousand Foot Districts containing a smaller area, if such lot on the effective date of the applicable provisions of this Zoning Bylaw originally establishing such districts did not adjoin other land of the same owner available for use in connection with said lot, (2) in any said Thirty Thousand Foot and Forty Thousand Foot Districts containing a smaller area, if such lot on May 1, 1953 did not adjoin other land of the same owner available for use in connection with said lot, or (3) in any Business or Industrial Districts or in Business Districts A or Industrial Districts A containing less than 10,000 square feet, if such lot on May 1, 1941 did not adjoin other land of the same owner available for use in connection with said lot.

This Section shall not apply to the lots shown on the subdivision plans approved by the Planning Board pursuant to the General Laws, Chapter 41, as amended, prior to May 1, 1953.

No lot on which a dwelling or club house is situated, whether heretofore or hereafter placed, shall be reduced in area, if such lot is smaller than is hereby prescribed, or if by such reduction it would be made smaller than is hereby prescribed, except in either case by taking by eminent domain or by a conveyance for a public purpose.

B. Alternative Area Regulations in Subdivisions of Ten Acres or More (Cluster Residential Developments.)

The minimum lot size for a one-family dwelling in a Single Residence District in a tract constituting a residential subdivision approved by the Planning Board after the effective date of this amendment may be 20,000 square feet in a Forty Thousand Foot Single Residence District, 15,000 square feet in a Thirty Thousand Foot Single Residence District, 10,000 square feet in a Twenty Thousand Foot Single Residence District, provided all of the following conditions are met:

All the land in the tract is in one or more of the Single Residence Forty Thousand, Thirty Thousand, or Twenty Thousand Square Foot Districts.

The tract of land contains a minimum of ten acres.

The total number of lots in a tract upon which dwellings may be built does not exceed the number upon which dwellings could, under all laws and regulations applicable thereto, be built if the tract were subdivided in compliance with the area regulation applicable without reference to this paragraph B.

Land is set aside within the subdivisions as permanent open space in an aggregate area not less than two acres nor less than the difference between the total area in the subdivision plotted into lots that may be built upon and laid out as roads, and the total area of the tract.

Land so set aside is held and maintained as open space by the developer of the subdivision until it is conveyed to, accepted by, and owned by one or more of the following:

1. An association, trust, or corporation of all the owners of lots within the subdivision.
2. A non-profit trust or corporation having as its primary purpose the maintenance of open space.
3. The Town of Wellesley for park or open space use.

4. Town of Wellesley Conservation Commission. Any owner of land so set aside is under a legal duty, enforceable severally by the Town, and any owner of a lot within or abutting the subdivision, to limit use of such land to recreation and open space uses, not to permit the erection thereon of any buildings or structures other than buildings or structures which are necessary for the storage of recreational and maintenance equipment used in connection with such land but which have an aggregate floor area of less than one-half percent (1/2%) of the area of such land; to maintain such land, and to exclude motor vehicles therefore.

C. Ratio of Building to Lot Area.

In Single Residence and General Residence Districts, Single Residence Districts A, and General Residence Districts A, no building or addition to any building shall hereafter be placed on any lot of land which will result in the covering by buildings of more than the following specified maximum percentages of the area of such lot or maximum building coverage expressed in square feet:

For lots containing less than 10,000 square feet - 25 percent;

For lots containing at least 10,000 square feet but less than 20,000 square feet – the greater of 20 percent or 2,500 square feet;

For lots containing at least 20,000 square feet but less than 40,000 square feet – the greater of 18 percent or 4,000 square feet – but not more than 6,000 square feet; and

For lots containing at least 40,000 square feet - 15 percent;

In Educational Districts B, Limited Residence Districts, Limited Business Districts and Administrative and Professional Districts no building or addition to any building shall be placed on any lot of land which will result in the covering by buildings of more than (20%) of the area of such lot, provided, however, that if the only buildings at any time on a lot in any such district are those permitted by SECTION VI.1., SECTION VIIIA.1., SECTION IX.1., or SECTION X.1, then the limitations aforesaid shall be (25%) in lieu of (20%). In Educational, Business or Industrial Districts or in Educational Districts A, Educational Districts B, Business Districts A, or Industrial Districts A, no dwelling (including apartment houses and apartment hotels) or club house shall hereafter be erected or placed on any lot of land which will result in the covering by buildings of more than (25%) of the area of such lot.

D. Ratio of Families to Lot Area.

1. In General Residence Districts and General Residence Districts A there shall be provided for each dwelling hereafter constructed or placed therein a lot containing not less than 5,000 square feet for each family for whose habitation such building is designed or adapted or the minimum area required for lots in the area regulation district in which the building is located, which ever is greater.

Except that town houses may be constructed at a ratio in accordance with and subject to the provisions of SECTION IV. GENERAL RESIDENCE DISTRICTS. A. 3.

2. In Educational, Business and Industrial Districts and in Educational Districts A, Educational Districts B, Lower Falls Village Commercial Districts, Wellesley Square Commercial District, Business Districts A and Industrial Districts A there shall be provided for each apartment house, apartment hotel, hotel, inn or town house, hereafter constructed or placed therein a lot containing not less than 2,500 square feet for each family for whose habitation such building is designed or adapted or the minimum area required for lots in the area regulation district in which the building is located, whichever is greater.